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8   **UNITED STATES DISTRICT COURT**

9   **EASTERN DISTRICT OF CALIFORNIA**

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11   NIKO RAMIREZ,   )   Case No.: 1:23-cv-0737 JLT HBK (PC)
)
12   Plaintiff,   )   ORDER ADOPTING FINDINGS AND
)   RECOMMENDATIONS, DISMISSING THE
13   v.   )   ACTION WITHOUT PREJUDICE, AND
)   DIRECTING THE CLERK OF COURT TO CLOSE
14   KGET CHANNEL 17 NEWS,   )   THE CASE
)
15   Defendant.   )   (Doc. 17)
)
16   _____   )

17   Niko Ramirez seeks to hold KGET Channel 17 News liable for violating his civil rights arising

18   under the Eighth Amendment pursuant to 42 U.S.C. § 1983, defamation of character, and endangering

19   his life by spreading false information. (*See* Doc. 1 at 7.)

20   The magistrate judge found that the defendant is not a state actor and could not conceive of any

21   facts that could be pled to convert the defendant into a state actor. (Doc. 11 at 4.) Therefore, the

22   magistrate judge recommended the Court decline supplemental jurisdiction over the claims arising

23   under state law, and that the action be dismissed for Plaintiff's failure to state a claim arising under

24   federal law. (*Id.* at 5.) The Court served the Findings and Recommendations on Plaintiff the same

25   date, and it notified him that any objections were due with 14 days of the date of service. (*Id.* at 5-6.)

26   Plaintiff did not file any objections and the time to do so has expired.

27   According to 28 U.S.C. § 636(b)(1)(C), the Court conducted a de novo review of this case.

28   Having carefully reviewed the entire file, the Court finds the Findings and Recommendation are

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supported by the record and by proper analysis. Thus, the Court **ORDERS**:

      1.   The Findings and Recommendation dated July 7, 2023 (Doc. 11) are **ADOPTED** in full.

      2.   The action is **DISMISSED** without prejudice.

      3.   The Clerk of Court is directed to close this case.

IT IS SO ORDERED.

    Dated: **August 7, 2023**

UNITED STATES DISTRICT JUDGE